IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

OP.No. 24706 of 2000(N)

PETITIONER:

M/S. JAI HIND ELECTRICAL TRADERS, REPRESENTED BY ITS MANAGING PARTNER, N.K. MOHAMED ASLAM, AGED 48 YEARS, SON OF ALAVI HAJI, NALUKANDATHIL HOUSE, P.O. PUTHUPALLY, TIRUR.

BY ADV. SRI.P.CHANDRASEKHAR

RESPONDENTS:
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1. THE DEPUTY TAHSILDAR (RR), TALUK OFFICE, TIRUR.

2. VILLAGE OFFICER, TIRUR.

3. THE ADDL. SALES TAX OFFICER I, TIRUR.

BY GOVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 13/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP 41707/00 & CMP 1115/01 IN CMP 41707/00, BOTH IN OP 24706/00

DISMISSED

13.11.2007 SD/-C.N.RAMACHANDRAN NAIR, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE DEED OF PARTNERSHIP DATED 2.12.82

EXT.P1(a) TRUE COPY OF THE EXTRACT OF THE REGISTER OF FIRM DATED 10.2.99

EXT.P2 TRUE COPY OF PARTNERSHIP DEED DATED 27.2.1978 OF JAI HIND ELECTRICALS

EXT.P3 TRUE COPY OF ORDER NO. 32120725/81-82 DATED 19.1.2000 OF THIRD RESPONDENT.

EXT.P4 TRUE COPY OF ORDER NO. 32120725/82-83 DATED 19.1.2000 BY THIRD RESPONDENT.

EXT.P5 TRUE COPY OF REVENUE RECOVERY NOTICE NO. D4-21311-2/2000 DATED 12.7.2000 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER.

EXT.P6 TRUE COPY OF REVENUE RECOVERY NOTICE NO. PRT 11/2000-2001/ST DATED 12.7.2000 BY THE FIRST RESPONDENT.

RESPONDENTS' EXHIBITS:; NIL.

TRUE COPY

P.S. TO JUDGE.

C.N. RAMACHANDRAN NAIR, J.

O.P. NO. 24706 OF 2000

Dated this the 13th day of November, 2007

JUDGMENT

Even though liability is contested in the O.P., counsel for the petitioner submitted that petitioner is willing to clear the balance arrears in instalments. O.P. is accordingly disposed of granting five equal monthly instalments to clear the arrears first of which will be paid on or before 15th December, 2007 and balance on or before 15th of four succeeding months. Recovery proceedings will be kept in abeyance for payments as above. If payments are made by the petitioner as above, then there will be direction to the respondents not to recover collection charges from the petitioner. If petitioner commits default in payment of any instalment, the instalment facility will stand automatically cancelled, and respondents will be free to proceed for recovery of entire arrears due.

(C.N. RAMACHANDRAN NAIR)
Judge